

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1607 be amended to read as follows:

- 1 Page 5, between lines 33 and 34, begin a new paragraph and insert:
- 2 "SECTION 5. IC 8-5-15-3 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) The district shall
- 4 be supervised and managed by a board of trustees, which consists of
- 5 the following:
- 6 (1) Four (4) members, one (1) from each county that is a member
- 7 of the district, **each of whom must be a resident of the county,**
- 8 appointed by that county's board of county commissioners.
- 9 (2) Four (4) members, one (1) from each county that is a member
- 10 of the district, each of whom is the president of that county's
- 11 county council or another council member designated by the
- 12 president as a board member.
- 13 (3) One (1) member representing the rest of the state **who is a**
- 14 **resident of the district,** appointed by the governor.
- 15 (4) One (1) passenger member **who is a resident of the district,**
- 16 appointed by the governor. The member appointed under this
- 17 subdivision must be selected from passengers who have submitted
- 18 a letter of interest to the governor. To be considered for this
- 19 position, a passenger must submit a letter of interest to the
- 20 governor during a two (2) week period that begins sixty (60) days
- 21 before the expiration of the term of the member appointed under
- 22 this subdivision. A member of the board serving under this
- 23 subdivision is not required to submit a letter of interest to be
- 24 eligible for appointment to a successive term.
- 25 (5) One (1) member who is an employee of the district **and who**
- 26 **is a resident of the district,** appointed by the governor from a list
- 27 of names submitted by the labor unions representing the
- 28 employees of the district. Each labor union representing
- 29 employees of the district may submit one (1) name to be included
- 30 on the list of names under this subdivision.
- 31 (b) A member shall serve for a term of two (2) years from the

beginning of the term for which the member was appointed and until a successor has qualified for the office. Each member shall serve at the pleasure of the appointing authority but is eligible for reappointment for successive terms.

(c) The members of the board shall elect for a one (1) year term:

- (1) one (1) member as chairman;
- (2) one (1) member to serve as vice chairman;
- (3) one (1) member to serve as secretary; and
- (4) one (1) member to serve as treasurer.

(d) Ninety (90) days before the expiration of the term of the board member appointed under subsection (a)(4), the district shall post in each commuter station in the district a notice of the opening on the board of trustees. The notice must announce the opening for a passenger member on the board of trustees and provide information on submitting a letter of interest. The notice must state the period in which the passenger must submit a letter of interest. The notice must remain posted until the expiration of the two (2) week period described in subsection (a)(4).

(e) A member appointed under subsection (a)(4) or (a)(5) may not:

- (1) vote on issues involving perceived or actual financial conflicts of interest, including personnel issues, collective bargaining, and assessment or levy of taxes; or
- (2) participate in an executive session of the board under IC 5-14-1.5-6.1, on issues regarding:

(A) the discussion of strategy for:

- (i) collective bargaining; or
- (ii) the initiation of litigation or litigation that is either pending or has been threatened specifically in writing;

as described in IC 5-14-1.5-6.1(b)(2); or

(B) the discussion of job performance evaluation of individual employees, except for a discussion of the salary, compensation, or benefits of employees during a budget process, as described in IC 5-14-1.5-6.1(b)(9).

(f) The members appointed under subsection (a)(4) and (a)(5) must reside in different counties."

Page 11, line 17, delete "However, a" and insert "A".

Page 11, line 18, after "is" insert "**not**".

Page 11, line 19, delete "The amount of the per diem is".

Page 11, delete lines 20 through 21.

Page 12, line 8, after "district," insert "**each of whom must be a resident of the county,**".

Page 12, line 14, delete "state," insert "**state who is a resident of the district,**".

Page 12, line 16, after "member" insert "**who is a resident of the district**".

Page 12, line 27, delete "division," insert "**division and who is a resident of the district,**".

- 1 Page 12, delete lines 33 through 34, begin a new paragraph and
- 2 insert:
- 3 **"(b) The members appointed under subsection (a)(4) and (a)(5)**
- 4 **must reside in different counties."**
- 5 Page 13, line 1, after "board" insert "**who is not an elected official**".
- 6 Renumber all SECTIONS consecutively.
(Reference is to EHB 1607 as printed April 10, 2009.)

Senator KENLEY